

**Notice of Allowability**

Application No.

09/856,818

Examiner

David Nhu

Applicant(s)

NAKAMURA ET AL.

Art Unit

2818

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/3/03.
2. ☒ The allowed claim(s) is/are 1, 3, 4, 6, 7, 9-22, 34 and 35.
3. ☒ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

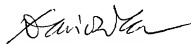
7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_
- (b) ☐ including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the Examiner.
- (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- 1 ☐ Notice of References Cited (PTO-892)
- 3 ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 5 ☒ Information Disclosure Statements (PTO-1449), Paper No. 0503.
- 7 ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- 2 ☐ Notice of Informal Patent Application (PTO-152)
- 4 ☐ Interview Summary (PTO-413), Paper No. \_\_\_\_\_
- 6 ☒ Examiner's Amendment/Comment
- 8 ☐ Examiner's Statement of Reasons for Allowance
- 9 ☐ Other



### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the change and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in an interview with Attorney, Steven M. Rabin, on 10/22/03.

The application has been amended as follows:

Figures 1, 16 should be designated by a legend such as -- **Prior Art** --.

### REASONS FOR ALLOWANCE

2. Claims 1, 3-4, 6-7, 9-22, 34-35 are allowed.
3. The following is an examiner's statement of reasons for allowance: None of the references of record teaches or suggests as cited in claims 1, 6, 7 : a crystallizing step of calcining to crystallize the inorganic compound material obtained in said organic substrate removing step, thereby obtaining an a solid of a ferroelectric or a high dielectric material; the organic substance removing step including a depressurizing step of placing the organic compound material in a low-pressure atmosphere and a heat treatment step of heating the organic compound material at a temperature at which the organic compound material does not crystallize, the depressurizing step and the heat treatment step being performed simultaneously (as cited in claim 1); a crystallizing step of calcining to crystallize the inorganic compound material obtained in said organic substrate removing step, thereby obtaining an a solid of a ferroelectric or a high dielectric material; the organic substance removing step

including an electromagnetic wave supplying step of supplying an electromagnetic wave to said the organic compound material at a temperature at which the organic compound material does not crystallize the electromagnetic wave supplying step and the heat treatment step being performed simultaneously (as cited in claim 6); a crystallizing step of calcining to crystallize the inorganic compound material obtained in said organic substrate removing step, thereby obtaining an a solid of a ferroelectric or a high dielectric material; the organic substance removing step including a step of treating the organic compound materials with activated oxygen particles and a heat treatment step of heating the organic compound material at a temperature at which the organic compound material does not crystallize the activated oxygen particle treatment step and the heat treatment step being performed simultaneously (as cited in claim 7).

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Nakayama et al (4,900,582): Method for Improving Film Quality of Silica-Based Films.

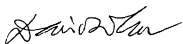
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Nhu , (703) 306- 5796. The examiner can normally be reached on Monday-Friday from 7:30 AM to 5:00 PM.

The examiner's supervisor, David Nelms can be reached on (703) 308-4910.

*The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7724.*

*Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956*

David Nhu



October 17, 2003